

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

TESSERON LTD,

Plaintiff,

vs.

R.R. DONNELLEY & SONS CO.,

Defendant.

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CASE NO. 1:06CV2909

JUDGE CHRISTOPHER A. BOYKO

ORDER

CHRISTOPHER A. BOYKO, J.:

While the Court is not foreclosing the construction of additional claims, for purposes of the August 20, 2008 *Markman* hearing, and in order to maximize the efficient and expeditious resolution of this case, the Court will only entertain the submission of fifteen claims requiring construction.

On or before August 18, 2008, the parties shall meet and confer, and shall designate, in a joint filing, those fifteen claims, reasonably required to be construed to support or defend either party's position regarding liability for patent infringement, upon which they agree (including those which overlap with the claims in Case No. 1:07CV2974 before Judge Kathleen O'Malley); and may proffer those upon which they disagree. The parties shall submit for the Court's

construction fifteen claims which are outcome-determinative, i.e., which have the maximum impact upon the resolution of the captioned patent infringement case. In no event, at this juncture, will this Court construe more than a total of fifteen claims.

IT IS SO ORDERED.

DATE: August 8, 2008

S/Christopher A. Boyko
CHRISTOPHER A. BOYKO
United States District Judge